

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MORROW

JONATHAN TALLMAN, an individual,

Plaintiff,

v.

DILLON SPENCER, an individual,

Defendant.

Case No. 23CV38119

COMPLAINT FOR DAMAGES

Fee Authority: ORS 21.160(1)(c)

JURY TRIAL REQUESTED

**CLAIM NOT SUBJECT TO
MANDATORY ARBITRATION**

Plaintiff Jonathan Tallman hereby complains against Defendant Dillon Spencer as follows:

THE PARTIES

1.

Plaintiff Jonathan Tallman is an individual residing and doing business in Morrow County, Oregon.

2.

Upon information and belief, Defendant Dillon Spencer is an individual residing in Morrow County, Oregon.

JURISDICTION AND VENUE

3.

All parties reside in Morrow County and all events giving rise to this Complaint occurred in Morrow County. Accordingly, this Court has jurisdiction over this matter and venue is proper in this Court.

GENERAL ALLEGATIONS

4.

Jonathan Tallman lives in Boardman, Oregon, a small city along the Columbia River. In Boardman, there is no anonymity. Everyone knows each other, and a person's reputation matters.

5.

Mr. Tallman also owns a coffee shop in Boardman called The Farmer's Cup. Much of his business comes from the Boardman community.

6.

Mr. Tallman is an active member of his community. Among other things, he has run for local office and recently volunteered to coach a youth soccer team.

7.

Another Boardman resident, Dillon Spencer, has made it his personal mission to destroy Mr. Tallman's reputation.

8.

For example, Mr. Tallman posted to a local community group on Facebook called "Boardman Oregon Community Info Page." Mr. Tallman reported that people had been stealing signs for his mayoral campaign. Mr. Spencer commented on Mr. Tallman's post, "It sounds like someone in the community doesn't want a child molester as their mayor. Was it one of your victims that took the signs? Or someone that knows the truth about your attraction to minors?"

9.

After, Mr. Spencer posted on the group's page stating, "A lot of you may have seen the comments on a recent post of Jonathan Tallman[.]" He commented on his own post that Mr. Tallman "has assaulted multiple minors, is running for mayor, and wants to foster children." Later, he commented on the same post that, "The authorities are doing their thing with the evidence and what not. I will not name the victims. Jonathan Tallman is the one who has sexually assaulted multiple minors."

10.

On August 25, 2023, an individual named April Collier posted to the same group, “Very curious and concerned about the removal of a couple of recent posts?” A young woman named Michaela Miller commented that her post was still on her feed for those who did not get a chance to read it. On Ms. Miller’s feed, there is a five-page police report with a lengthy caption. The report, along with Ms. Miller’s caption, recounts complaints made about Mr. Tallman by Ms. Miller and another unidentified teenager. Taken together, a reasonable person would understand that Ms. Collier’s post referred to the removal of posts about Mr. Tallman.

11.

Mr. Spencer commented on Ms. Collier’s post multiple times. First, he wrote, “predators have a way of squeezing through the cracks and the only way to keep them in the light is through the public forums. This isn’t opinion. This is a man who victimized children and capitalized on their fear of testifying.”

12.

Next, he commented, “when a victim is too scared to sit on the witness stand and it’s word vs word, then it’s hard to take something to trial. However, when there is multiple victims, and the predator all but boasting about getting away with it, it’s pretty easy to connect the dots and see the true colors. Protect the children at all costs.”

13.

Mr. Tallman sent a cease-and-desist letter to Defendant on September 5, 2023, in an attempt to mitigate the harm caused by Defendant’s actions. Defendant ignored the letter and has continued to make defamatory statements about Mr. Tallman on Facebook.

14.

On or about September 7, 2023, Mr. Spencer posted the same five-page police report that had previously been shared by Ms. Miller. He included the caption, “Just a reminder of the type of person who tries to run for office and coach kids soccer in Boardman.”

15.

Later the same day, Mr. Spencer responded to another Facebook user who had commented on his post. He wrote that Mr. Tallman is a predator and had touched the “private areas” of a girl twenty years younger than him.

16.

Defendant’s statements were provably false and were published to the public at large. Accordingly, Plaintiff is likely to prevail on one or both of his defamation causes of action and his false light cause of action.

17.

Based on Defendant’s pattern of behavior, it is likely that he will continue to defame Plaintiff during the pendency of this litigation and afterward.

18.

While the police did investigate Ms. Miller’s allegations years ago, they concluded that the allegations were unfounded. Mr. Tallman was never prosecuted for, much less convicted of, child molestation or any other type of sex crime.

19.

Nonetheless, because of the “allegations, rumors, and information posted online,” the Columbia Youth Soccer Club reported Mr. Tallman to the U.S. Center for SafeSport.

20.

Mr. Tallman is now under investigation by the U.S. Center for SafeSport and has been suspended from participating in the Oregon Youth Soccer Association and all of its affiliated member clubs until that investigation concludes.

21.

In addition, Mr. Tallman has seen a decrease in local business at The Farmer’s Cup.

22.

Worse still, Mr. Tallman has had a contractor refuse to continue doing business with him based on the unfounded rumors spread by Defendant.

23.

Plaintiff will suffer irreparable harm in the form of damage to his reputation if Defendant is not enjoined from making additional false statements.

FIRST CAUSE OF ACTION

Defamation

24.

Plaintiff realleges Paragraphs 1 through 23, inclusive, as though fully set forth below.

25.

Defendant published statements about Plaintiff to members of the public.

26.

The statements published by Defendant are provably false.

27.

As a result of Defendant's publication of provably false statements, Plaintiff has suffered emotional harm, harm to his business, and harm to his reputation. Plaintiff is entitled to monetary damages in an amount to be determined at trial.

SECOND CAUSE OF ACTION

Defamation Per Se

28.

Plaintiff realleges Paragraphs 1 through 23, inclusive, as though fully set forth below.

29.

Defendant has made statements to the public about Mr. Tallman.

1 30.

2 Members of the public who viewed the statements reasonably understood the statements
3 to be about Mr. Tallman.

4 31.

5 Members of the public who viewed the statements reasonably understood the statements
6 to mean that Mr. Tallman had committed a crime of moral turpitude, namely, child molestation.

7 32.

8 Defendant's statements are false. Mr. Tallman has never molested, assaulted, or abused
9 any minors.

10 33.

11 Defendant failed to use reasonable care to determine the truth or falsity of his statements.

12 34.

13 As a result of Defendant's publication of false statements, Mr. Tallman has suffered harm
14 to his business and reputation. He has also experienced extreme emotional distress. Mr. Tallman
15 is entitled to compensatory damages in an amount to be determined at trial.

16 **THIRD CAUSE OF ACTION**

17 **False Light**

18 35.

19 Plaintiff realleges Paragraphs 1 through 23, inclusive, as though fully set forth below.

20 36.

21 Defendant's public posts about Mr. Tallman state or otherwise suggest that he has
22 molested multiple children and young women. Through these posts, Defendant has given publicity
23 to a matter that places Mr. Tallman in a false light.

24 37.

25 The false light in which Mr. Tallman has been placed would be highly offensive to a
26 reasonable person.

38.

Defendant knows his posts about Mr. Tallman are false or acted in reckless disregard as to the falsity of the publicized matter.

39.

As a result of Defendant's actions, Mr. Tallman has suffered harm to his business and reputation. He has also experienced extreme emotional distress. Mr. Tallman is entitled to compensatory damages in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Jonathan Tallman prays for the following relief:

1. For general damages in an amount to be proven at trial, but not less than \$100,000;
2. For special damages in an amount to be proven at trial, but not less than \$100,000;
3. For injunctive relief to remove the false statements and to prevent publication of false and defamatory statements;
4. For costs and disbursements; and
5. For such other and further relief as this Court deems proper.

DATED this 18th day of September, 2023.

BUCHALTER, A Professional Corporation

By /s/ Daniel P. Larsen

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REGISTER OF ACTIONS**CASE No. 23CV38119****Jonathan Tallman vs Dillon Spencer**§
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§Case Type: **Tort - General**Date Filed: **09/18/2023**Location: **Morrow****PARTY INFORMATION**

		Attorneys
Defendant	Spencer, Dillon	
Plaintiff	Tallman, Jonathan	DANIEL P LARSEN <i>Retained</i> 503 226-1191(W)

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

09/18/2023	<u>Complaint</u> <i>Jury Trial requested</i> Created: 09/19/2023 8:44 AM	
09/18/2023	Service Spencer, Dillon Created: 09/19/2023 8:44 AM	Unserved

FINANCIAL INFORMATION

	Plaintiff Tallman, Jonathan		
	Total Financial Assessment		594.00
	Total Payments and Credits		594.00
	Balance Due as of 11/29/2023		0.00
09/19/2023	Transaction Assessment		594.00
09/19/2023	xWeb Accessed eFile Receipt # 2023-599441	Tallman, Jonathan	(594.00)